

REMARKS

This amendment is responsive to the Final Office Action dated September 12, 2008. Applicant has amended claims 1, 3-5, 9, 11-13, 21, 22, 24 and 25. Claims 1-25 are pending.

Claim Objections

The Examiner has objected to claims 3 - 5, 9, 11 - 13 and 22. Applicant has amended the claims as set forth below.

Claims 3 and 5 have been amended to clarify that one or more of the member cubes further store data along one or more other dimensions, and store one or more measures. Applicant submits that the amendment clarifies what constitutes the other dimensions.

Claim 4 has been amended to recite “a time dimension”, which provides the proper antecedent basis for the term.

Claim 9 has been amended to correct a typo. It now recites “the single partitioning dimension”.

Claim 11 has been amended to clarify that the system further comprises a further control cube coupled with a group of member cubes and that a member cube of the one or more member cubes is the further control cube.

Claim 12 has been amended to correct a typo. It now recites “the member cubes through the control cube”.

Claim 22 has been amended to clarify that the description of what the member cubes are, and how they are deployed is included in the metadata of the control cube.

Additional Claim Amendments

Claims 1 and 12 have been amended to clarify the scope of protection sought. The amendments are fully supported by the description as originally filed, and in particular, for example, at page 10, lines 3 - 17.

Claims 21 and 22 have been amended for consistency with claims 1 and 12.

Claims 24 and 25 have been amended as set forth under the heading ‘Claim Rejections - 35 USC § 112”.

Objections - Specification

The Examiner has objected to the specification as allegedly failing to provide proper antecedent basis for the claimed subject matter of claim 1. Applicant respectfully disagrees. Applicant submits that one of ordinary skill in the art would appreciate and understand from the specification as originally filed that dimension based partitioned cubes are used by a computer system and that the computer system includes a processor and memory. As such, Applicant respectfully submits that the specification as originally filed does provide for proper antecedent basis for the subject matter of claim 1 as previously presented. However, in the interest of advancing the prosecution of the current application, Applicant has amended claim 1 to recite a computer and a memory, and submits that these terms are clearly supported in paragraph [0121] of the published application of Applicant's specification as originally filed.

Claim Rejections - 35 USC § 101

The Examiner has rejected claims 1 - 11 and 21 under 35 U.S.C. 101 as allegedly being directed towards non-statutory subject matter. Applicant traverses, and respectfully requests reconsideration of the rejection for at least the reason set forth below.

Claims 1 - 11 and 21 recite a computer implemented system, which is a physical article or object that includes a computer and a memory. The member cubes and control cubes are tied to a particular computer system that they are implemented on. Applicant has further specified that the member cubes and control cubes are implemented on a computer system having a computer and a memory. Applicant respectfully submits that the claims 1 - 11 and 21 comply with 35 U.S.C 101.

Claim Rejections - 35 USC § 112

The Examiner has rejected claims 24 and 25 under 35 USC § 112 as allegedly failing to comply with the written description requirement. Applicant traverses, but nonetheless has amended claim 24 to clarify that the method further comprises adding metadata of an additional member cube to the control cube. Applicant has amended claim 25 to clarify that the method further comprises removing metadata of a member cube of the one or more member cubes from the control cube. Applicant respectfully submits that amended claims 24 and 25 comply with 35 USC § 112.

Claim Rejections - 35 USC § 102

The Examiner has rejected claims 1, 2, 4, 6, 7, 9, 11 - 16 and 21 - 25 under 35 U.S.C. 102(b) as allegedly being anticipated by Joy Mundy (“Using Partitions in a Microsoft SQL Server 2000 Data Warehouse”, February 2001, [http://technet.microsoft.com/en-us/library/aa9022650\(SQL\).80](http://technet.microsoft.com/en-us/library/aa9022650(SQL).80)).asp, hereinafter ‘Mundy’). Applicant traverses and respectfully requests reconsideration of the rejections for at least the reasons set forth below.

Mundy teaches a method of using partitions on a SQL server. Data is partitioned into cubes in order to, for example, provide a smaller dataset to work with. Mundy describes a method of partitioning a fact table and creating a unified view of the partitions. Mundy accomplishes this by creating the partitioned cubes and creating a view that is a UNION ALL command. That is, a new view is created using the SQL command UNION ALL, which joins all of the partitioned cubes together.

This differs from the claimed system (as amended). The use of the UNION ALL view of the partitioned cubes of Mundy does not teach or suggest a control cube that has metadata about the one or more member cubes, the metadata including hierarchy information of the partitioning dimension above the one or more member cubes. Mundy also fails to teach or suggest a control cube that provides control information used by a query engine accessing the data stored in the one or more member cubes.

As set forth above, Mundy fails to teach or suggest all of the limitations recited by amended independent claim 1. As such, claim 1 recites subject matter that is not anticipated by Mundy under 35 U.S.C. § 102(b). Applicant respectfully submits that dependent claims 2, 4, 6, 7, 9, 11 and 21, which depend from amended claim 1, are also patentable over Mundy.

Regarding amended independent claim 12, Applicant submits that Mundy fails to teach or suggest creating a control cube having metadata about the member cubes, the metadata including hierarchy information of the partitioning dimension above the one or more member cubes. Mundy further fails to teach or suggest providing control information used by a query engine to access the data distributed over the member cubes through the control cube.

As set forth above, Mundy fails to teach or suggest all of the limitations recited by amended independent claim 12. As such, claim 12 recites subject matter that is not anticipated

by Mundy under 35 U.S.C. § 102(b). Applicant respectfully submits that dependent claims 13 - 16 and 22 - 25, which depend from amended claim 12, are also patentable over Mundy.

Claim Rejections - 35 USC § 103

The Examiner has rejected claims 3, 5, 8 and 10 under 35 U.S.C. 103(a) as allegedly being unpatentable over Mundy in view of Pasumansky et al (US Patent 6,477,536, hereinafter 'Pasumansky'). Applicant traverses and requests reconsideration of the rejection for at least the reasons set forth below.

Pasumansky teaches a system for creating and maintaining a virtual cube. According to Pasumansky a virtual cube is a logical representation of a subset of the dimensions and measures of at least one physical cube maintained by an OLAP server. Applicant respectfully submits that the virtual cube of Pasumansky would not lead one of ordinary skill in the art to modify the teachings Mundy to arrive at the limitations of claims of the independent claims, and more particularly claims 3, 5, 8 and 10 rejected by the Examiner. In particular, the virtual cube of Pasumansky, which is a subset of a cube, does not suggest the shortcomings of Mundy, in particular it does not suggest a control cube having metadata including hierarchy information of the partitioning dimension above the one or more member cubes.

Applicant respectfully submits that if one of ordinary skill in the art were to combine the teachings of Pasumansky with those of Mundy, the combined teachings would still fail to teach or suggest all of the limitations of the claimed subject matter. The combined teachings would also fail to provide any motivation or suggestion to one of ordinary skill in the art as to how to overcome the shortcomings to arrive at the claimed subject matter. As such Applicant respectfully submits that the applied references fail to disclose or suggest each and every feature of all the current claims, including claims 3, 5, 8 and 10, and requests withdrawal of the rejections under 35 U.S.C. 103(a).

CONCLUSION

All claims in this application are in condition for allowance. Applicant respectfully requests reconsideration and prompt allowance of all pending claims. Please charge any additional fees or credit any overpayment to deposit account number 50-1778. The Examiner is invited to telephone the below-signed attorney to discuss this application.

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